

Planning and Zoning Department

2017 Annual Report

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Introduction

From urban infill development to local food, from green-field development to strategies for underserved areas, the Planning and Zoning Department serves a variety of community and policy-maker desires. In 2017 activity was concentrated on rezones and platting for single family and multi-family developments. Significant time was spent on the proposed @Edge project in the Northeast Neighborhood. This document will lay out the major 2017 activities. Additional information may be found at the Planning Department web site:

<http://www.fitchburgwi.gov/departments/cityHall/planning/index.php>.

Land Use Planning

Comprehensive Plan

First adopted in March 2009, the Comprehensive Plan was accomplished to meet the requirements of the Comprehensive Planning Statute, also referred to as the Smart Growth law. The plan acts as a land use constitution for the city and sets forth the goals, objectives and policies to guide city actions in land use matters. Under state law, it takes about four months to process an amendment to the Comprehensive Plan, and therefore the Comprehensive Plan limits amendments (other than for certain aspects, such as neighborhood plans) to one time per year.

The eighth annual Comprehensive Plan amendment, adopted in August 2017, focused on land use changes. One began as a change to a land use classification granted in 2014, but ended up providing more flexibility, and in two other cases to address developer interests. The first request was to change the Koth property from High Density Residential (HDR) to the Industrial Commercial (IC) category. The property had been changed from Low Density Residential to HDR or Mixed-Use through a 2014 amendment sponsored by then Alderpersons Gonzalez, Arnold and Carpenter. At the conclusion of the 2017 process it was decided to allow classification as either HDR or IC. A second request, sponsored by Mayor Gonzalez at the request of developer Randy Alexander, changed 33 acres of industrial land to the Mixed Use district. Alexander proposes to construct 501 to 542 multi-family dwelling units, and 50,000 sq ft of commercial space, instead of industrial land uses. The final change sponsored by Mayor Gonzalez was to allow multi-family housing at over 9 du/ac in the Stoner Prairie Neighborhood. The neighborhood plan allowed a maximum of 6 du/ac. Part of the justification is to make up for lost value and dwelling units due to the proposed location of Blackhawk Church on ten acres of land. The Blackhawk Church site would only account for 60 additional dwelling units, (6 units/acre on ten acres).

North Stoner Prairie Neighborhood Plan

Plat improvements for the first phase of the Stoner Prairie plat were completed. Water main and sanitary sewer extensions to serve neighborhood areas, including the Sub-

Zero Company were also accomplished. A CSM was approved to allow Blackhawk Church to construct on a ten acre piece of property along S. Seminole Highway. A pre-application conference submittal was made in November, for the use of PDD zoning on a parcel at the northeast corner of Seminole Highway and Lacy Road. This proposal followed the Comprehensive Plan change submitted by Mayor Gonzalez (see above) and approved by Plan Commission and Council. The high density project proposes multi-family buildings with 194 dwelling units, or over 32 units per acre. A second proposal is not clear, but could provide 80 dwelling units at the 6 unit/acre maximum density. The pre-application meeting was postponed from the December 2017 Plan Commission meeting to the January 2018 meeting to allow the developer to undertake public outreach.

Northeast Neighborhood

In the fall of 2016 2016 Fitchburg Lands began the platting process for Terravessa. Terravessa was the third area to rezone to SmartCode. Sanitary service, however, rose as an issue. The developer was successful in requesting an amendment to the Comprehensive Plan, and a major change in city policy, to allow a lift station to serve the plat. This was approved even though the urban growth boundary was based on gravity sewer capability, and Comprehensive Plan policies favored gravity sewer. The developer chose the lift station option over a gravity route through the Town of Dunn even though both have similar long term costs. Gravity sewer options pose less problems as mechanical methods are not used to move the sewage. A gravity option means less chance of failure, less energy use, less obnoxious odors, and less maintenance. The town of Dunn gravity option was proposed by the Madison Metropolitan Sewerage District in the summer of 2017, but apparently drew little interest from the developer and city administration, and economic development, who wished to avoid any project delays. This decision will have major ramifications to utility rate payers, and city land use. Efforts in late November by the Public Works Director, and Planning Director to reconsider the gravity option, particularly when town of Dunn staff noted they would prefer gravity over a lift station, was met with intransigence. Even with the town of Dunn Board approving a resolution noting their preference for a gravity line through Dunn, in-lieu of a lift station, the lift station remained the preferred developer option.

The @Edge project, also in the Northeast Neighborhood, is served by a different sewer that will need to be constructed. Both projects will require a water main loop to be installed from near West Clayton Road to loop to the one extended along Lacy Road east to County MM. The loop is necessary to provide proper water and fire protection services.

Landmarks Preservation

This year the City reviewed a request for paint color modifications and roof replacement to the Rueden house at 5329 Lacy Road. After obtaining approval from the Commission, the owners proceeded with the improvements.

The Commission also pursued a Historic Preservation Fund Subgrant to undertake an intensive survey of the City of Fitchburg. The goal of the grant would be to conduct the first professional historic preservation survey of Fitchburg in order to establish a baseline of information on historic properties in Fitchburg and their history. With information provided by this grant, the commission would be able to:

- Assist owners of historic income-producing properties who wish to take advantage of federal and state historic preservation tax credits
- Assist owners of residential properties who wish to take advantage of state historic preservation tax credits
- Generate greater public knowledge of Fitchburg's historic heritage by using survey information to write articles regarding the city's history

After obtaining direction from the Commission, staff drafted and submitted an application in November 2017. Results on the application should be available in March 2018.

Agriculture and Rural Affairs

The Planning and Zoning Department coordinated passage of the City's first Agriculture Plan in 2017. In 2015, the Common Council authorized the City's Agriculture and Rural Affairs Committee to develop the Plan. The Plan's general intent and purpose, conforming to and consistent with the City's Comprehensive Plan and long-term growth boundary contained therein, is to provide a holistic and integrated approach to agriculture in the City, and ensure continued, varied agricultural opportunities to City landowners. The Plan recognizes agriculture as a viable component of the City's economy and identity, and focuses on continued development of the local food system and enhancing agricultural diversity in the City, as well as other emerging trends in the agricultural sector.

Development of the Plan was subject to a robust public engagement process, over a 2-year period, with Plan content reflecting prevailing sentiments gathered through this process. Department staff will work with the Agriculture and Rural Affairs Committee in 2018 and beyond, to prioritize Plan action items and work towards implementation.

Code Development

As noted above, Terravessa is the third area to be rezoned to SmartCode. An amendment to the code will be required to accommodate the proposed lift station. The SmartCode is an integrated land development ordinance that sets forth a variety of development types to form neighborhoods offering a diversity of land use opportunities in a pedestrian scale. As an integrated development code it combines aspects of public works construction, such as street types, with zoning and land use. Land use is important, but it is to work with the development form, or the look and feel of a place. It

attempts to replicate conditions and situations that exist in older small towns or city neighborhoods, usually pre-World War II—hence it is a neo-traditional neighborhood development ordinance. This ordinance meets the State of Wisconsin requirement for a Traditional Neighborhood Design Ordinance. After World War II development took on what is often termed a sprawl oriented pattern based on the automobile, and provided single use areas and little or no integration of land use types. Sprawl development patterns receive part of the blame for the Nation's obesity epidemic as less pedestrian and bicycle activity occurs due to the separation distance of various uses which promotes use of the automobile. A transect based approach is used within the SmartCode, with each transect zone representing certain development patterns. T3, for example, is representative of a typical single family subdivision, while T5 is a multi-family and commercial district that provides for a mix of office, business, and residential uses. T4 falls between T3 and T5, and allows some corner commercial property, although limited in size. T4 allows for narrow single family lots usually served by an alley, and attached row houses or other medium density multi-unit options.

It is crucial that the code retain and work off its key principles.



SmartCode buildings along No Oaks Drive

Top photo: Notice how a street wall is formed by the buildings; the masonry wall not only defines the public realm, but screens the parking lot.

The bottom photo is of single family homes with front-load garages. However, the garages are setback, and with a drive width at the front of 10' the homes maintain neighborhood appearance and continue to define the public and private realm, and in so doing creates an interesting and walkable place.



Until amended in 2014, to accommodate the developer of North Park, the SmartCode only allowed an 18" deviation from the chosen primary setback. This minor deviation allows building interest, but maintains the enclosed street which minimizes distractions, and creates a desirable outdoor space. Proper enclosure of the street and sidewalk creates a more pleasing street and interesting street appearance, a sense of community, and increases the perception of public safety.

Application Activity

General Application Information

	Submitted Requests		Plan Commission Meeting Agenda Activity**	
	2016	2017	2016	2017
Architectural & Design Review Requests	15	18	15	16
Rezoning and Conditional Use Permits	15	31	16	32
Certified Survey Map Requests	8	10	9	11
CDP's &/or Preliminary Plats	4	6	4	5
Final Plats	5	3	6	2
Variances/ Administrative Appeals	4	11	na	na
Other Requests to Plan Commission *	29	40	29	44
Telecommunication Permits to Plan Com.	0	0	0	0
Demolition Permits to Plan Com.	0	0	0	0

Administrative Permits

	2016	2017
SmartCode Article 3	0	0
SmartCode Article 3 Amendments	2	2
SmartCode Article 5	10	17
Architectural and Design Review	14	12
Demolition permits—Zoning action	6	0
Sign Permits	66	79
Zoning Permits	127	145

*These issues include, but are not limited to, resolutions, ordinance text amendments, planning document approvals, and other matters referred to the Plan Commission for action or reports such as easements, pre-submission conferences, ordinance amendments, TID consideration, land use planning activities, review of standards or policies and other activities that do not fall under a specifically identified category noted under Commission and Board activity.

**Includes applications submitted in 2017 but on 2018 agenda.

In 2014 discretion was provided to the zoning administrator to approve minor architectural and design review requests. This allows timelier disposition of minor requests, and has reduced the number of ADR requests going to the Plan Commission. In addition, most SmartCode projects do not need architectural and design review from the city plan commission.

With property being platted and improved in 2017, and what is scheduled for 2018, a number of new sites will be available for multi-family construction. The Terravessa plat

itself is anticipating over 1,500 dwelling units, although construction is anticipated to occur over a ten or more year period of time. While the Common Council has expressed concern over multi-family housing construction in the city, they have nonetheless continued to approve projects, including altering the Comprehensive Plan for high density in Stoner Prairie (194 unit project proposed at 32 units/acre) and in the Northeast Neighborhood to convert industrial land on the former demolition fill site to 542 dwelling units.

Sign Code

In the summer of 2014 Adams Outdoor Advertising made application to convert the billboard near the Cannonball Trail, to an electronic billboard. This request was denied by the zoning administrator. An appeal of this decision was heard by the Common Council in September which upheld the decision of the zoning administrator. Adams appealed this decision to the circuit court. In November 2016, the Dane County Circuit Court upheld the Zoning Administrator decision to deny the permit. Adams appealed the circuit court decision to the court of appeals. As of this writing the appellate decision was not released.

Rezoning and Conditional Uses

Uptown Crossing, Fahey Fields and Stoner Prairie plats saw public improvements completed to serve all or part of the platted lots. Uptown Crossing is zoned SmartCode and zoning was accomplished several years ago. Article 3 plan amendments, however, occurred. Varied and modified approvals were given for Stoner Prairie. A pre-application conference was held for part of the Rueden property, and the Plan Commission noted the proposed town home project would make for a good Planned Development District (PDD) zoning project. PDD zoning approval was issued for a large 108 dwelling unit project in Fahey Fields. This is in addition to land in that plat already zoned R-H. PDD General Implementation Plan (GIP) zoning approval was also provided for the Alexander @Edge project. A conditional use permit was issued for a site on Marketplace Drive for Hospice grief counseling, after the zoning ordinance was amended to allow social services in the Industrial General district. Planning staff opposed allowance of such uses in an industrial district as they can take valuable industrial space. Allowance of recreational and now social service uses reduces the availability of space for true industrial users.

Tax Incremental Districts

Planning staff assisted with the alteration to tax increment district #4 to fund installation of railroad quiet zones, water main, and turn lane construction. TID #11 was created for the @Edge project, where the developer is asking for about \$11 million dollars in tax increment funding for private and public improvements. With the @Edge project being on a former construction (clean) landfill site, thought to consist mainly of large concrete

chunks buried beneath the surface, and varied soils not suitable for building construction problems could be posed for the integrity of public improvements. The @Edge (Foseid) land was planned for industrial sites. Three or four industrial site could have been served by water and sewer mains in County MM, with laterals extending to the sites. While originally proposed for a system of public streets, which include sanitary sewer, water main and storm sewer, due to issues with snow removal and public safety issues, it was proposed in January 2018 to have the streets be private. The main public easements will be for water services. Staff has questioned the long-term maintenance costs of public infrastructure and recommended a third party engineer design all public infrastructure. However, policy makers did not agree with this approach, but did agree to the staff back-up plan to have the city engage a consultant to review and inspect the construction. However, as of this writing, the developer has not signed the agreement or escrowed the funds for the third party review.

Special Projects

Anton Drive Planning Study

In 2016 the City began the planning study for the Anton Drive area, generally located north of McKee Road and west of Verona Road. The Verona Road reconstruction project, which will span the urban boundaries of the City from the northern city boundary to south of County Highway PD (McKee Road), will have significant impacts to properties located along and near Verona Road with reduced visibility and direct accessibility. The reconstruction project also allows an opportunity to examine and potentially reshape the future vision of the area.

MSA Professional Services, working with staff and a 10-member Steering Committee, drafted a redevelopment plan that recognizes and analyzes impacts of the reconstruction as well as the market and transportation limitations, and captures opportunities for development and redevelopment in the area. In late November 2016 the plan was approved by the steering committee, and was referred to several committees. Council action occurred in the first quarter of 2017.

Bicycle and Pedestrian Advisory Committee (Ad hoc) and Bicycle and Pedestrian Plan Update

The City's Bicycle and Pedestrian Advisory Committee (Ad hoc) was formed in late 2015 and convened in early 2016, to oversee development of the City's update to the 2008 Bicycle and Pedestrian Plan. Department staff served as liaison and contact for this recently-formed Committee.

Similarly, staff coordinated development of this Plan update, with the Plan's overriding goal to provide for safe and efficient options for walking and biking in the City. Staff worked in conjunction with a consultant, Community Design Group, the aforementioned Committee, other City Committees/Boards, and the general public throughout the Plan update process. The plan was approved in 2017.

Distressed Neighborhoods

The Planning and Zoning Department kicked off development of the City's *Healthy Neighborhoods Initiative* in 2017. The Initiative, with overall coordination provided by Department staff, is an inter-departmental, pilot program designed to formulate and implement a collaborative, integrated, holistic, and proactive approach to address specific barriers to opportunities in three City neighborhoods (Verona Road West, Belmar/Renaissance on the Park, and North Fish Hatchery Road), in conjunction with community/neighborhood partners. The Initiative is to be further delineated through the City's involvement in the *Legacy Community Alliance - Health In All Policies Partnership*, a 5-year project partnership with University of Wisconsin partners (Center on Wisconsin Strategy and the Population Health Institute), to support local governments as they work on public health and equity issues, utilizing best available research and data.

The Initiative will be “data-driven”, “community/neighborhood partner-reliant” “program/service-focused”, and “outcome-based”, with desired outcomes to include:

1. Building off of the missions and goals of the City and specific departments;
2. Increasing communication, collaboration, and identification of common goals among select City departments, the City of Madison, and neighborhood/community partners;
3. Increasing efficiency and economy in delivering City services;
4. Enhancing quality of life for those living, working, and recreating in the City;

The Initiative prospectus, a summary document outlining context, process, and desired outcomes of the Initiative, was presented to the Common Council at a Committee of the Whole meeting on August 23, 2017.

In 2018, the inter-departmental team, coordinated by Department staff, will work on building trust and listening to the neighborhoods and other stakeholders, to develop an Initiative “Strategic Plan”, containing specific action items that will chart a course for implementation of the Initiative in the foreseeable future.

Public Facilities

Planning staff have been assigned the duty of leading the two fire station projects. Bidding is anticipated in the first quarter of 2018, with completion in spring of 2019. The west station was completed in 2017, and occupied in July. The west station project, on a net basis, used less than .5% of the contingency fund.

Rideshare

During the 2016 budget discussion, the council determined an expenditure for an east-west bus service in the city was not appropriate. Instead of this option, they decided to allocate funds for a rideshare program, using Lyft and Uber as a model. Working with the Transportation Engineer, a request for proposal was created, responses reviewed,

discussions had, and a contract developed. Planning assisted with review of varied implementation items. The pilot program started with a soft opening in early December 2017, but fully kicked off in January 2018. The program picks up and drops off riders at 93 bus stops and four other locations (senior center, McKee Farms Park, McGaw Park, and Hughes Place to serve the south transfer point, all for a two dollar fare. Custom pickups and drop-offs and service outside the urban service area have additional fares.

Conclusion

Work effort for 2018 will focus on the bidding and construction for the east fire station, advancing strategy development for distressed neighborhoods, implementation of the Agricultural Plan, and the varied plats, such as Terravessa, and @Edge along with other development projects that arise.

The continued pursuit of responsible planning is vital to a strong and well-functioning community. The Planning and Zoning Department continues to analyze and engage in activities that will benefit the entire Fitchburg community, including promoting and maintaining healthy neighborhoods. A well-planned city can provide efficient and cost-effective services. The Planning and Zoning Department is committed to continuing its provision of strong, sound, and smart planning, as historically demanded by Fitchburg citizens.